



**BOSE McKINNEY & EVANS LLP**

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OCT 21 2004

**Customer No. 25267**

Technology Center 2632

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Indianapolis, Indiana 46204  
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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Group: 2632

Attr. Docker: 8266-0738

Applicants: Borders et al.

Invention: COMMUNICATION  
AND DATA ENTRY  
DEVICE

Serial No.: 10/039,342

Filed: November 29, 2001

Examiner: Tong, N.

**Certificate Under 37 C.F.R.S 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231

on October 15, 2004

Sherri E. Cozart  
Sherri E. Cozart

Dated: October 15, 2004

**NOTICE OF APPEAL**

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Office Action mailed April 21, 2004, which finally rejected claims 1 - 11, and 18 - 41 of the above-identified patent application.

A check in the amount of \$340.00 is submitted herewith to cover the fee for this Notice of Appeal. Since the Examiner has not issued an Advisory Action; therefore pursuant to MPEP 706.07(8) no fees for extension of time are due. Applicants respectfully request that any shortages in fees be charged, or any over payments in fees be credited to the account of Bose McKinney & Evans, Deposit Account No. 02-3223.

10/19/2004 HAL111 00000055 10039342

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